IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF NORTH CAROLINA STATESVILLE DIVISION NO: 5:05CR235

UNITED STATES OF AMERICA,)
Plaintiff)
)
VS.) ORDER
)
CHAD TYRONE KINCAID,	
Defendant.)
)
)

THIS MATTER IS BEFORE THE COURT upon the receipt of a letter from Chad Tyrone Kincaid (the "Letter") (Document No. 85). In the Letter, Mr. Kincaid asks to be released on bond.

The record reflects that Mr. Kincaid is represented by appointed counsel, Michael Anthony Kolb. It is the practice of this Court, when a defendant is represented by counsel, to rule on motions filed only by counsel of record. Therefore, if Mr. Kincaid has any matters he wishes this Court to consider, they must be submitted through his attorney. The Court notes Mr. Kincaid's contentions that Mr. Kolb has not communicated with Mr. Kincaid. As such, the Court will schedule an inquiry into the status of counsel.

IT IS, THEREFORE, ORDERED that Mr. Kincaid's request is DENIED without prejudice to Mr. Kincaid's right to re-file the motions, if appropriate, through his attorney.

Signed: September 28, 2005

David C. Keesler

United States Magistrate Judge